

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JUN FANG,

Plaintiff,

v.

JOYBUY, JOYBUY EXPRESS, JOYBUY
AMERICA, AND JOYBUY FASHION

Defendants.

Case No. 1:23-cv-04792

Judge Sharon Johnson Coleman

AGREED MOTION TO EXTEND DEADLINE

Plaintiff Jun Fang (“Plaintiff”) and Defendants Joybuy, Joybuy Express, Joybuy America, and Joybuy Fashion (collectively, “the Joybuy Marketplace”) respectfully file this agreed motion to extend the deadline for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint by fourteen (14) days, up to and including Tuesday, September 5, 2023.

1. On October 6, 2022, Plaintiff filed the litigation captioned *Trademark Rightsholder Identified in Exhibit 1 v. P’ships & Unincorporated Ass’ns Identified on Schedule "A"*, No. 1:22-cv-05746 (N.D. Ill.) (“First Fang Case”) against the Defendants identified in Schedule A to the Complaint for alleged infringement of Plaintiff’s intellectual property. There, Plaintiff identified the Joybuy Marketplace as Defendants 36–39. (First Fang Case, Dkt. No. 4.)

2. On January 24, 2023, Plaintiff filed a Summons Returned Executed in the First Fang Case. (*Id.* at Dkt. No. 57.)

3. The Joybuy Marketplace does not concede that the purported service was appropriate or that service has been properly perfected on the Joybuy Marketplace.

4. On February 1, 2023, the Joybuy Marketplace filed a motion to sever in the First Fang Case. (*Id.* at Dkt. No. 59.)

5. On June 16, 2023, the Court granted the Joybuy Marketplace's motion to sever. (*Id.* at Dkt. No. 103.)

6. On July 28, 2023, the Court issued an Order of the Executive Committee ("Order"), which consolidated the Joybuy Marketplace in the above-captioned litigation. The Order was docketed into the Court's CM/ECF system on July 31, 2023.

7. For purposes of this motion, the deadline for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint is purportedly on August 21, 2023, which is twenty-one (21) days from the date on which the Order was docketed into the Court's CM/ECF system.

8. The Parties are currently engaged in settlement negotiations and seek additional time to attempt to resolve this matter.

9. On August 21, 2023, the Parties agreed to a fourteen (14) day extension of time for the Joybuy Marketplace to answer, move, or otherwise respond to the Complaint, up to and including September 5, 2023. Plaintiff does not oppose this motion.

10. This is the Parties' first request for an extension of time.

11. The Joybuy Marketplace has not waived any objection or defense, including defenses under Federal Rule of Civil Procedure 12(b), by filing this unopposed motion for extension of time.

12. No Party will be prejudiced by the requested extension.

13. The requested extension is made in the interests of justice and not for the purposes of delay.

Date: August 21, 2023

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CERTIFICATE OF SERVICE

I hereby certify that on August 21, 2023, a true and correct copy of the foregoing document was filed electronically through the Court's CM/ECF system with notice of case activity automatically generated and sent electronically to counsel of record.

/s/ Nicole E. Kopinski

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